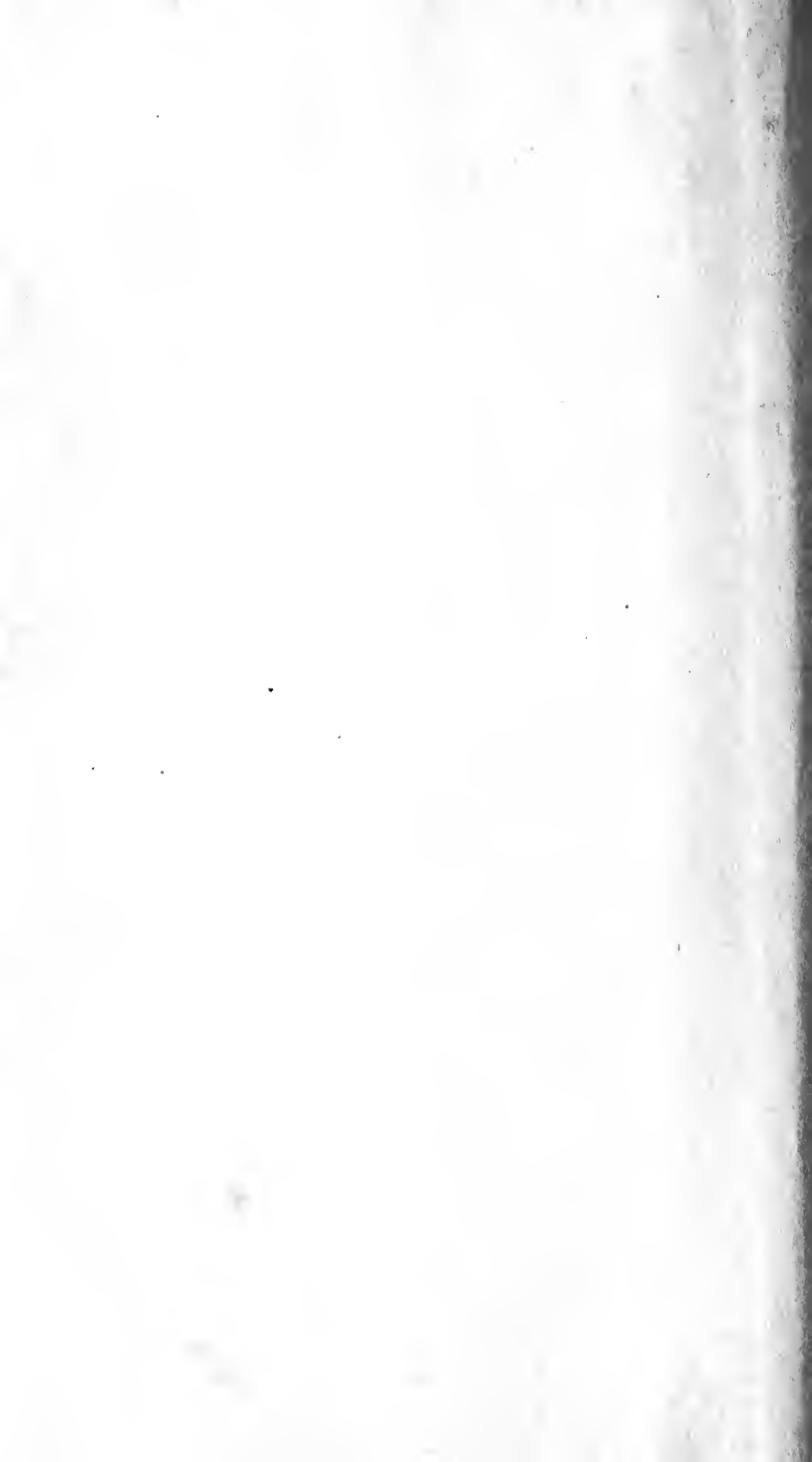


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ADDRESS

OF THE

HON. SAMUEL WALKER, MAYOR,

TO THE

CITY COUNCIL OF ROXBURY,

DELIVERED BEFORE THE

TWO BRANCHES IN CONVENTION,

JANUARY 3^D, 1853.



PRINTED BY ORDER OF THE CITY COUNCIL.

ROXBURY:
THOMAS PRINCE, CITY PRINTER.
1853.

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CITY OF ROXBURY.

In Board of Aldermen, January 3, 1853.

ORDERED, That the Address of His Honor the Mayor, delivered this day before the two branches of the City Council, in convention, be printed for the use of the City Council.

Passed, and sent down for concurrence.

JOSEPH W. TUCKER, *City Clerk.*

In Common Council, January 3, 1853.

Concurred.

JOSHUA SEAVER, *Clerk.*

84484

ADDRESS.



GENTLEMEN OF THE BOARD OF ALDERMEN,
AND OF THE COMMON COUNCIL :

WE have assembled together to-day, agreeably to the provisions of the City Charter, for the purpose of organizing the government for the year, and to commence the duties assigned to us by our fellow-citizens. The past year, by the blessings of a kind Providence, has been to our city one of general health and prosperity, and I earnestly hope that in the year before us we may recognize a continuance of these favors.

For this repeated manifestation of their confidence, I tender my grateful acknowledgments to my fellow-citizens, and can only say, that it will be my endeavor to discharge the duties of the office to which their suffrages have again called me, according to the best of my ability and judgment, and with a single eye to the best interests of the city.

As the chosen agents of the people of this city, the fiscal, prudential and municipal affairs are committed to our hands. Upon us will rest the responsibility of their management, and I trust that we shall endeavor to discharge all the duties and responsibilities incumbent upon us, in a manner that shall be honorable to ourselves and acceptable to our fellow-citizens.

The finances of the city, I am happy to say, are in a healthy condition.

The amount of the ordinary City Debt, Jan.

1, 1852, was,	\$128,387 05
Of which there has been paid the past year, and interest,	11,300 00

Which reduced the debt to	\$117,087 05
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And the same has been increased during the
year, for the following purposes, viz.:

For Support of Poor,	\$3,000 00	
For Dearborn School House,	2,000 00	
For West Roxbury,	8,000 00	
For Stony Brook Lands,	41,000 00	
For additional Appropriation for Streets,	5,000 00	59,000 00

Which leaves the debt at this time,	\$176,087 05
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By an order of the City Council, passed early in the year, the proceeds of the sales of land on "Munroe Farm," are to be appropriated to the liquidation of this debt. There has been received from this source the sum of \$9,637 93, and applied accordingly; and there is due from sundry individuals \$17,373 98, which will be appropriated to this purpose as the instalments become due. There has been reserved a portion of this land for a public square, and another portion, of several acres, which may be offered for sale whenever it shall be deemed for the interest of the city so to do.

This debt is comparatively trifling, considering our ability to meet it. The public property not immediately required for the uses of the city, is nearly sufficient to liquidate it. A debt at any time is not desirable, yet a wise economy and sound policy have pointed out no other method to provide for the wants and necessities of government, than temporary or permanent loans, to be provided for in such a manner as circumstances may justify, to meet the public necessities.

In my communication last year, I suggested the importance of taking measures for adding to our present system, advantages that would more nearly than any we then pos-

sessed, meet the demand which the State had upon us for the establishment of an English High School; and I am happy in being able to state, that during the past year an arrangement has been made with the "Trustees of the Roxbury Grammar School," by which an English High School has been established and is now in successful operation. The standard of qualification for admission to this school is the same as the High School in Boston.

The arrangement between the Trustees and the city, though not in all respects such as might be desired by the city, yet is one that affords us important advantages, which we could obtain in no other way except at far greater cost. The Trustees, I am confident, are desirous of expending the income from their fund in accordance with the will of the donors, in such manner as will best subserve the interest of the city in the cause of education.

The condition of the Schools of our city is represented by the committee to be highly satisfactory, and for details I refer you to their report, which will soon be laid before you, and also distributed among the inhabitants of the city.

Roxbury has always enjoyed a high reputation for the excellence of her Public Schools, and the government has never been backward in furnishing the means required for their maintenance and support. Our expenditures for this department are large, and are constantly increasing, and our citizens, while they cheerfully pay any reasonable amount for their support, expect them to be of a high character and worth all their cost. The charter vests the care and superintendence of the schools in the School Committee, and upon that Board, and that Board alone, rests the responsibility of their management and condition. Not only does this responsibility rest upon the School Committee, but also the expenditure of a large portion of the appropriations annually made—for it has been decided by the highest court in our Commonwealth, that the power conferred on School Committees by Statute 1838, chap. 105, to select and contract with the teachers for the town and district schools, includes the power to fix the compensation to be paid them,

and to bind the city or town to pay the same. The City Council, therefore, are relieved from the responsibility, in a measure, of the expenditures for schools, at least so far as regards the pay of teachers, which is the largest item of expenditure.

Economy is desirable in every department of the government, and I trust that the School Committee will, so far as they have control, exercise a wise discretion, and bring the expenditures within a limit consistent with the character and standing of the schools.

The condition of our Highways, the past year, has been greatly improved. This has been done at a considerable expense over former years, yet the results attained in my opinion fully justify the outlay. I think it is not too much to say, that our public streets and sidewalks will compare favorably with those of any town or city in our Commonwealth. In the early part of the year many of our streets were surveyed, their lines more accurately defined, and their grades established; and I respectfully recommend that *all* our streets (not already done) be surveyed as soon as practicable. This will to a great extent prevent encroachments, or if encroachments be made, they can be removed without delay, and abutters will be enabled to erect buildings with reference to the grade of the street.

We have about *twenty-four* miles of accepted streets, and *twelve* miles belonging to private individuals. Many of these private streets are in a bad condition—some are dangerous, and others are so narrow and so imperfectly constructed, that they cannot be accepted by the city until they shall have been widened and put into good repair at the expense of the owners or abutters. The safety of travellers requires that many of these private streets should be put in better condition, and as no power exists in the government to compel this to be done, an order was adopted in July last, authorizing the Mayor to petition the next General Court for an act giving additional powers to the Mayor and Aldermen over private streets already opened, and over those which may hereafter be opened and dedicated to, or be permitted to be

used by the public. Application will be made to the Legislature as indicated in the order, unless otherwise directed by you.

I learn from the Commissioner of Streets that 18,421 feet, or nearly *three and one-half miles* of edge-stones have been laid and sidewalks constructed the past year. This, I believe, is a greater number of feet than has been laid in any one year since the organization of the government. The rule early adopted by the Board of Aldermen—of setting the edge-stones, when found by the abutters and constructing the sidewalk at the expense of the city—works well in practice.

The amount expended for setting edge-stones, paving sidewalks (with brick), paving cross walks, and gutters,	
is,	\$5,333
For materials and repair of streets,	7,667

Making a total for the year of \$13,000

The public safety and convenience, in the opinion of the City Council, required that several streets should be widened, by taking land belonging to the abutters. This has been done, and a suitable compensation has been awarded to them for the land thus taken. Many more streets should be widened, and whenever the public safety and convenience require it to be done, I trust that the work may be accomplished without delay.

I recommend that the thorough improvements commenced on our streets and sidewalks the past year, be continued, and for that purpose a larger appropriation than was made last year will be necessary. Money judiciously expended for this purpose is well laid out, and in my judgment the best economy;—for when once put in the best condition, they will require but a small amount to keep them in repair for many years.

The Fire Department is efficient and under good discipline. The duties of the Chief and Assistant Engineers, as well as of the officers and members, have been performed in a manner that reflects great credit upon the service; and I

venture to say, that nowhere in our Commonwealth can there be found a department more efficient, in better order or condition, than the department of the City of Roxbury. The duties the past year have been comparatively light. The department has been called out *eighteen* times from fires within the city, *eight* times from fires out of the city, and *eight* times from other causes. And the total amount of loss by fire, as nearly as could be ascertained, has been \$23,700, which was covered by insurance to the amount of \$11,150.

There are four engines and hose carriages, one hook and ladder carriage, and one hose cart, in use; and two engines with hose carriages, not in use. The engines, apparatus and houses are in good condition. The several companies are full, consisting of one hundred and ninety-two men, and I have the authority of the Chief Engineer for saying that "they have performed their duty in a manner creditable to themselves and to the city."

Liabie as we are at any moment to be visited with a severe conflagration, in consequence of the number of wooden buildings in immediate proximity, and the scarcity of water in many parts of the city, I respectfully direct your attention to the importance of increasing the efficiency of the department, by providing additional facilities of obtaining water. There are twenty-four reservoirs and nine hydrants, all in good condition, located in different parts of the city, and should you deem it expedient to increase the number of reservoirs, as has been the practice heretofore, or provide other means, you will of course make the necessary appropriations for the same.

We have an active, energetic and efficient Police. The officers have been prompt in the discharge of their duties. I learn from the Annual Report of the City Marshal, that at the present term of the Court of Common Pleas, now in session at Dedham, "there was not a single person confined in the jail from Roxbury, awaiting an examination by the Grand Jury." I am happy to learn from the same source that there has been a great decrease in crime the past year,

and that the services of the police have not been so much required as in former years.

Twenty-five new lamps have been located on streets where they were much needed. We have, altogether, but ten lamps lighted with gas, and one hundred and forty-two lighted with oil and burning fluid—making a total of one hundred and fifty-two. It was the practice in former times, under the town government, and it has prevailed until the past year, under the city, to furnish oil and provide for the lighting and repair of lamps, where they might be located by private individuals. In some cases, doubtless, lamps so located were a public convenience, but in many others they were far from being such; I therefore recommend that this practice be abandoned, and that lamps be placed in our main streets, at the expense of the city, at such places as the public safety and convenience may require; and that the location of such lamps as have been erected previous to the past year, be changed if necessary.

A year or two since gas pipes were laid by the Boston Gas Light Company, from the line to Guild Hall, and it was supposed that the pipes would be continued to other parts of the city; but it is now understood that the Company do not intend to extend them beyond their present limit. An act of incorporation was obtained from the Legislature at its last session, by several gentlemen of this city, for a Gas Company, but as yet no organization has been made. An effort will soon be made, I am informed, to organize the Company, and should it prove successful, as I trust it may, we shall be able to furnish better lights for many of our streets, and our citizens probably will avail themselves of the opportunity to take and use it in their dwellings.

It was by the earnest efforts of my immediate predecessor that our beautiful cemetery was established at Forest Hills. With the most assiduous toil and self-denying devotion, he watched over the interests of this new and sacred enterprise. He “traced in graceful lines the avenues and foot-paths among its rocks and heights, and he now rests from his labors amidst the lasting monuments of his own rearing,

more significant and enduring than the marble column and the beautiful vase which grateful respect has consecrated to mark the place of his repose."

The Board of Commissioners who have the care and superintendence of the grounds, have discharged the duties devolving upon them in a manner that calls forth the warmest expressions of gratitude from their fellow-citizens.

About one hundred and twenty lots have been disposed of during the year, which is a larger number than has been sold in any previous year since its consecration. Additional avenues and paths have been constructed in the most thorough and perfect manner, and various improvements have been made about the grounds. A large nursery containing many thousands of hardy trees and evergreens, is attached to the grounds, from which many of the avenues and lots are ornamented.

Upon the recommendation of the Commissioners, the City Council authorized the purchase of thirty-one acres of land adjoining, at a cost of \$9,000. The Cemetery now contains upwards of one hundred and two acres.

The act relating to the establishment of the Cemetery, provides that "the proceeds of sales of lots or rights of burial in said Cemetery shall be paid into the City Treasury, to be kept separate from any funds of the City, and subject to the order of said Commissioners, and such proceeds shall be devoted to the liquidation of the debt incurred in the purchase of the land for said Cemetery, and to the improvement and embellishment thereof, under the direction of the Board of Commissioners. And no other monies shall be appropriated from the City Treasury by the City Council, for such improvement and embellishment."

The debt of the Cemetery, Jan. 1, 1852, was	\$27,551 55
Of which there has been paid (besides the interest) of principal,	1,000 00
Reducing the debt to	26,551 55
And the same has been increased during the year, by the purchase of 31 acres, additional,	9,000 00
Making the debt at this time,	\$35,551 55

In addition to the payments of interest, there have been expended for *labor and materials* alone, but principally for labor, (*not* including that paid by private individuals upon their lots) in the past four years, upwards of *fifty-eight thousand dollars*; and *not a dollar has ever been taken from the ordinary monies in the treasury of the city for this purpose*. I am informed that provision has been made for the payment of a portion of the principal the present year. The report of the Commissioners will be laid before you in February, and your attention is respectfully directed to its details.

The expenses for the support of the poor have been diminished the past year. Experience has fully proved that the removal of the Almshouse establishment from Highland Street to Brook Farm, was a wise project, and has been attended with beneficial results. The expenses of the establishment have been much reduced, the condition of the inmates greatly improved, and their number considerably lessened. For the last few years, Roxbury supported more State paupers than Cambridge, Charlestown, Chelsea, Brookline, Dorchester and Dedham combined. This state of things ceased to exist upon the removal of the establishment to Brook Farm. In my communication to the two branches last year, I stated that “there could be no reasonable doubt that with a proper economy and a judicious management of affairs, the change would be a beneficial one to the city in a pecuniary point of view, while full and varied employment could be found at all times for the inmates who were able to perform labor.” All this has been realized. The project has been entirely successful.

The average number of inmates supported during the year 1851, when in Highland Street, was	227
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The average number supported at Brook Farm in 1852, was	185
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Showing a difference of forty-two in number, or *eighteen and a half* per cent.

The cost of supporting the establishment in 1851, when in Highland Street, was	\$7,887 53
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The cost of supporting the same at Brook Farm
in 1852, was 5,147 11

Showing a reduction of \$2,740 42, or *thirty-four and three-fourths* per cent.

These facts of themselves, to say nothing of other considerations, practically demonstrate that the removal of the establishment was a measure of good economy, and fully illustrate the wisdom of the change.

By an act of the Legislature, passed at its last session, the State paupers will hereafter be supported directly by the Commonwealth, instead of the cities and towns that have heretofore received of the State a compensation of a certain amount per week for their support. Buildings are now being erected for their reception, and when completed and ready for occupancy, most of the inmates of our establishment will be removed, and but a small number will remain, who will be chargeable to the city.

The suggestion has been made, that after the removal of the State paupers, the establishment should be removed back to Highland Street. I must be allowed to differ in opinion from those who think the interests of the city will be promoted by any change. It is a question whether or not the establishment cannot be sustained with greater economy to the city at Brook Farm, even after the State shall have removed the greater portion of the inmates, than at any other place. The farm is of great value, and under the judicious management of the Superintendent, it has been greatly improved, and brought into a better state of cultivation; and with the facilities possessed by the city, a few years only will be required to make it—if not the *best* farm—certainly *equal* to the best, in the county of Norfolk. And I think it is my duty to say, in justice to the Joint Special Committee of the City Council, who purchased this property for the city, that notwithstanding the objections urged against the project, and the opinions expressed as to the value of the farm, and the quality of the soil, even by a few of our “practical farmers,” as well as others, time has fully vindicated the wisdom of the measure, and the recorded views

and opinions of the committee have been triumphantly sustained.

The farm has been greatly improved the past year. The crops have been abundant, and I learn from the Superintendent, that a portion of the meadow has been converted into good English grass land. In his opinion, within a very few years, four-fifths of the grass cut on the farm will be of the best quality. The improvements have consisted principally in clearing up bushes, removing stone, building walls, putting the high grounds in a better state of cultivation, setting out fruit trees, improving those previously planted upon the grounds, and preparing the soil by deep tillage and the application of manures for root crops. There are but very few acres, he says, of the meadow land, but what can be improved and made to produce grass of a good quality, and these few acres are very valuable for the vegetable matter or muck, which is from six to twelve feet deep, and which can be removed to advantage to the high ground.

In consequence of a public nuisance, which was deemed prejudicial to the health of the inhabitants of the city, the attention of the City Council was called to the condition of Stony Brook, in the vicinity of Ruggles street. Upon a careful examination of the premises, it was found that the brook was in a state of nuisance between Waitt's Mill and the Tremont street bridge. The testimony was such, before the Board of Health, that it became necessary for the city to take immediate action. I have good reason to believe that had the city failed to have acted promptly, the matter would have been presented to the Grand Jury, and an indictment found against the city, to which we could have made no good defence.

Ample powers are vested in Boards of Health for the removal or abatement of nuisances, which affect the public health, and no reasonable excuse can be made by any town or city in permitting a nuisance to exist, after it shall have been declared to be such by competent authority. To abate the nuisance existing in the locality before mentioned, it became necessary to change the course of the stream, and

fill up the flats on both sides. To accomplish this effectually, the city purchased the property on both sides of the brook, from a point where it was deemed expedient to change the direction of the channel. This being done, the work of filling up and constructing the culverts commenced. Appropriations to the amount of \$74,047 83 have been made, and the cost of the work has been —

For land and buildings,	.	.	.	\$45,643 00
“ earth filling,	.	.	.	21,136 50
“ culverts,	.	.	.	7,984 55
“ incidental expenses,	.	.	.	552 10

Making a total of \$75,316 15

From which deduct amount received for buildings, 1,440 00

Leaving the cost, \$73,876 15

The quantity of land embraced within the limits of this improvement, and belonging to the city, according to the plan, (after deducting for street and culvert,) is 230,000 feet, or about five and a quarter acres, all of which has been filled up, with the exception of two small lots.

During the last summer, and while the work was in progress, application was made to the Supreme Judicial Court, by the Boston Water Power Company, for an injunction to restrain the city from filling up the flats, and praying for other relief, as set forth in their bill. Upon a hearing of the case, in chambers, an injunction was refused, and an answer has been filed to their complaint. It may be deemed proper that I should state, in this connection, that it was shown by the testimony of able and experienced engineers, that there were but two ways in which this nuisance could be abated — first, by removing the filth collected to some other place of deposit; and secondly, by filling up in the manner as done by the city. The latter mode was deemed the best one, because it effectually abated the nuisance.

The nuisance having been abated, as far as the line of the City's land, at the point of changing the direction of the stream, a notice was served by order of the Board of Health, upon several owners of flats above this point to abate the

nuisance existing on their premises by filling up the flats. The work, I am happy to inform you, is about being commenced, and will be prosecuted without delay. After this shall have been accomplished, the nuisance in Stony Brook will have been abated. And I recommend that the lands belonging to the City, which have been filled up, after reserving such portions as may be deemed necessary, be sold in suitable and convenient lots, and that the proceeds of such sales be devoted towards the payment of the City debt.

Further measures should be taken to prevent the drainage of animal and vegetable matter into this brook; for, if this practice is suffered to continue, it may in time cause another nuisance in the basin of the Water Power Company, by reason of the Mill Dam structure, which prevents the natural flow of the stream to Charles River.

There has existed for some time past, in the opinion of many of our citizens, a great inequality in the valuation of estates, and consequently an inequality in the assessment of taxes; and a considerable change has been made the past year by the Board of Assessors, in the valuation, with a view of placing the tax upon a more equal footing. Heretofore, small lots of land, or dwelling-houses with a small quantity of land connected, have been valued at an amount approximating nearly to what they might bring under unfavorable circumstances, while large lots of land have been taxed at a nominal sum only, in comparison. The Board of Assessors, in the performance of their labors, considered it to be their duty to revise our valuation, and, if possible, to equalize it. It seems to be but fair and just, that lands which are held for a rise in value, should pay a proper proportion of our taxes. In former years, before our population had increased so greatly, most of our land was used for agricultural purposes, and as such, of course, paid a tax accordingly. But I think I may safely say, that as a general thing, in Roxbury, West Roxbury, Brookline, Dorchester, as well as in Cambridge, Charlestown, Somerville and Chelsea, and possibly other towns in the vicinity of Boston, that lands are valued and held by the owners at such rates,

that agriculture cannot be carried on with any profit, and however much we may regret the fact, agriculture within our borders, as an interest, has nearly ceased to exist.

There is no matter connected with the administration of a municipal government, more difficult to adjust, or one in which there exists a wider difference of opinion, than the valuation of estates for taxation. To adopt a valuation that would give entire satisfaction would be an utter impossibility, and although there may be cases where our Assessors have erred in judgment—and it would be difficult to find a Board not liable to do so—yet the principle they have adopted will be admitted by every candid mind to be correct.

The rate of our tax the past year, was \$6,40 on the thousand dollars, less four per cent.; and I trust that for many years to come, to meet our ordinary current expenses, that rate may not be exceeded.

In the first year of the organization of the city government, the Board of Aldermen, after hearing testimony and making an examination of the premises, came to the conclusion that the safety of travellers required that the grade of Washington street, near Waitt's Mill, should be changed so as to conduct the public travel over the railroad instead of at grade; and the railroad corporation was notified to cause the change to be made agreeably to the statute in such cases provided. The Corporation objected, and appealed to the County Commissioners, who, after an examination and hearing of both parties, decided that the request of the Mayor and Aldermen was a reasonable one. The Corporation still refusing to comply with the request of the Board, a bill was filed in the Supreme Court, under the statute of 1849, to compel compliance with the order of the Commissioners. Distinguished counsel was employed by the corporation, and defended the case on divers grounds; one of which was, that the Legislature, in passing the act, had exceeded its powers; but after very full arguments the Court overruled all the objections in law, and ordered the corporation to file an answer to the merits of the bill. An answer was filed early in the summer, in which the corporation allege, that

the city is estopped from proceeding further in the suit, because the selectmen, when the railroad was being built, refused to have such a bridge or grade as is sought by the bill, and agreed to have the road at the grade it now is; that the raising of the road cannot be effected without blocking up Tremont Street; and they allege that the order of the Commissioners was imprudently made, and cannot be executed without great damage to the public, and therefore that a specific performance ought not to be decreed. A replication has been filed on behalf of the city, denying these allegations and averments in the answer, and the case is in a position for taking evidence. No commission, I, believe, has as yet been taken out for testimony by the corporation—the delay having been occasioned, as is understood, by the appointment of one of the counsel to the bench of the Supreme Court of the United States, and since then, by the absence of the other on account of ill health.

For several months past the matter of the Flats in the the empty basin, has been pending before the third set of Commissioners of the Commonwealth, and the interests of the city have been carefully attended to by able counsel. The object of the present commission is, to adjust conflicting claims by compromise, references or otherwise, and to devise, if practicable, a plan suitable for filling up the empty basin. The counsel for the city filed an intimation, that Roxbury would consent to such improvements as should protect all her rights equally with others, in proportion to the extent of her land. The title of Roxbury has been sharply contested, and it may be that a resort to the judicial tribunals will become necessary. It is hoped however, that the commission may submit such a report to the General Court, as shall dispense with further litigation.

The people of this city, gentlemen, expect us to be vigilant in the discharge of our duties, and faithful to the trusts committed to our hands: they expect the government will be wisely, prudently and economically administered, and that the public necessities will be provided for, without incurring unnecessary burdens. Let us endeavor to discharge

the duties incumbent upon us in such a manner, that at the close of the year we may be able to render a good account of our stewardship.

And may that Almighty Being, who guided our fathers, direct and prosper us in all our undertakings : and may He continue to watch over us, and bestow upon us His choicest blessings.

SAMUEL WALKER.

Roxbury, January 3, 1853.

